

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/650,425 08/29/00 FLICK

K 58072

027975 TM02/0928  
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EXAMINER

SWARTHOUT, B

ART UNIT PAPER NUMBER

2632

DATE MAILED:

09/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No. 650,425	Applicant(s) Flick
Examiner Swartout	Group Art Unit 2632

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- Responsive to communication(s) filed on \_\_\_\_\_
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

### Disposition of Claims

- Claim(s) 1-30 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 1-30 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - All
  - Some\*
  - Noneof the CERTIFIED copies of the priority documents have been
  - received.
  - received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). 2  Interview Summary, PTO-413
- Notice of References Cited, PTO-892  Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

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1. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 20, lines 1-2, "the vehicle" has no antecedent basis.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 5-7, 9-11, 13, 15-17, 19, 21-23, 25 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al.

Mueller teaches a vehicle security system with sensors 250, controller means 200, siren 33, shock detector circuit 250, and means 252/254 for causing a siren to sound responsive to a security alarm signal, and for controlling a signal 228/242 responsive to detected shock, except for specifically disclosing use of a housing.

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However, since Mueller discloses use of housing for receiver/controller 14, choosing to house other components of the system would have been obvious, in order to protect components from damage due to environmental factors such as moisture, rocks, tar, etc..

Regarding claim 3, Mueller has armed/disarmed modes (col. 7, line 9).

Regarding claims 5-6, Mueller teaches providing different levels of alarm based on shock intensity (col. 7, line 60-col. 8, line 2; col. 8, lines 40-58)

Regarding claim 7, siren 33 would have inherently included some type of speaker means.

Regarding claims 9-10, Mueller teaches use of receiver 14 and remote transmitter 20, the transmitter capable of sending different codes (col. 5, line 15; col. 13, lines 9-20).

3. Claims 2, 12, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al in view of Suda.

Suda discloses a vehicle security system wherein the security system is disabled when ignition is turned on (col. 7, lines 1-5).

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It would have been obvious to use a system disable command upon engine ON condition in a system as disclosed by Mueller, in order to prevent false alarms.

4. Claims 4, 8, 14, 18, 24 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al in view of L'Esperance et al.

L'Esperance teaches a vehicle security system employing both a shock sensor 44 and Hood switch 16. It would have been obvious to use a hood switch in combination with a shock sensor in a vehicle security system as disclosed by Mueller, in order to protect a vehicle from a larger number of intrusions. Since L'Esperance teaches that hood switch and shock sensor are directly connected via means 10, choosing to operatively couple the two sensors in a system as taught by Mueller would have been obvious, merely depending on the locations of the sensors in the vehicle, since they would both be interconnected to the system controller.

Regarding claim 8, since L'Esperance discloses hood switch mounted within engine compartment, choosing to place other security system components under the hood would have been obvious, in order to provide protection from the elements and tampering.

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Issa, Hwang and Synder disclose vehicle security systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent Swarthout whose telephone number is (703) 304-4383. The examiner can normally be reached on M-F from 6:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

BS/ayc

September 25, 2001



**BRENT A. SWARTHOUT  
PRIMARY EXAMINER**